

22.09.2025
Sl.79.
Suman
Ct.No.15

WPA 20955 of 2025

Shreegopal Concrete Private Limited and Anr.
Vs.
India Power Corporation Limited and Ors.

Mr. Shyamal Sarkar, Sr. Adv.
Mr. Rajesh Kumar Gupta
Ms. Ankita Upadhyay Agarwal
..for the petitioners

Mr. Subir Sanyal, Sr. Adv.
Mr. Koushik Chowdhury
Mr. Bratin Kumar Dey
..for respondent nos. 1 and 2.

The petitioners were consumers under respondent no. 1, the Licensing Company. Alleging exorbitant electricity bills exceeding ₹18 crores, the petitioners approached the concerned Grievance Redressal Officer.

It is an admitted position before this Court that, upon such approach, the Grievance Redressal Officer directed respondent no. 1 not to take any coercive action based on the disputed amount.

It further appears that the petitioners submitted two representations dated 29th January, 2025 and 6th February, 2025, seeking disconnection of the electricity connection supplied by respondent no. 1. However, the connection was not disconnected by the respondent no.1. The petitioners subsequently

migrated to another licensing company—namely, the West Bengal State Electricity Distribution Company Limited (WBSEDCL)—with effect from 31st January, 2025.

Mr. Shyamal Sarkar, learned senior counsel appearing for the petitioners, submits that despite the disconnection as of 31st January, 2025, respondent no. 1 continued to raise electricity bills towards demand charges. It is further alleged that respondent no. 1 has not removed its electrical apparatus from the petitioners' factory premises, despite several requests.

Mr. Sarkar, therefore, seeks an order directing respondent no. 1 to remove the said apparatus from the petitioners' premises.

Mr. Subir Sanyal, learned senior counsel appearing for respondent no. 1, draws the Court's attention to Regulation 4.4.1 of the Supply Code issued by the West Bengal Electricity Regulatory Commission. He submits that the petitioners had no authority in law to unilaterally disconnect the electricity supply. It is argued that the disconnection should have been effected only by the Licensing Company, after clearance of outstanding dues by the petitioner. Consequently, he contends that the demand charges raised post-disconnection are legally justified.

This Court is of the view that, since a billing dispute concerning the relevant period is presently

pending before the Grievance Redressal Officer and is yet to be finally adjudicated, respondent no. 1 cannot insist on payment of the alleged dues through alternate means of enforcement.

It is undisputed that the electricity line has remained disconnected since 31st January, 2025, and that the petitioners have been availing electricity from another licensing company thereafter.

The parties shall remain at liberty to approach the Grievance Redressal Officer, before whom the billing dispute is currently pending. The said Officer shall also adjudicate on the final liability, if any, for the billing period in dispute as well as on the issue of demand charges raised thereafter.

The Grievance Redressal Officer is hereby authorized to pass any incidental or necessary orders in relation to the removal of electrical apparatus from the petitioners' premises. If such a request is made, the same shall be decided in accordance with law within two weeks from the date of communication of this order.

It is made clear that this Court has not entered into the merits of the dispute regarding the bills raised by respondent no.1 or the petitioners' claim for refund. Those issues shall be determined independently by the Grievance Redressal Officer, uninfluenced by any observations made in this writ petition.

It is further clarified that all bills raised by respondent no.1 towards demand charges shall not be acted upon until the dispute is finally resolved by the Grievance Redressal Officer.

Accordingly, **WPA 20955 of 2025** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)